UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,271	07/27/2001	Winston Donald Keech	46354.010300	6817

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EXAMINER
CERVETTI, DAVID GARCIA

ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *13 April 2006*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-23 and 32* is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-23 and 32* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *27 July 2005* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a) ☐ All b) ☐ Some * c) ☒ None of:
       1. ☒ Certified copies of the priority documents have been received.
       2. ☐ Certified copies of the priority documents have been received in Application No. _____.
       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Applicant's arguments filed April 13, 2006, have been fully considered.

2.   Claims 1-23 and 32 are pending and have been examined. Claims 24-31 have

been canceled.

Response to Amendment

3.   The objection to the abstract is maintained, the abstract is 153 words in length.

4.   Applicant's arguments with respect to claims 1-23 and 32 have been considered

but are moot in view of the new ground(s) of rejection.

5.   The following prior art was/is used in this rejection: Kawana (US Patent Number:

4,697,072), Goldfine et al. (US Patent Number: 5,343,529, hereinafter Goldfine),

Bickham et al. (US Patent Number: 5,530,438, hereinafter Bickham), Lee (US Patent

Number: 6,748,367), and Wilder (US Patent Number 5,408,417), Walker et al. (US

Patent 6,163,771, hereinafter Walker), Corder et al. (US Patent 5,936,221, hereinafter

Corder).

Continued Examination Under 37 CFR 1.114

6.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114.

Oath/Declaration

7.   The Oath/Declaration is objected to because it states that the country is United

States, however, the address appears to be a United Kingdom address. A statement

over applicant's signature providing a complete correct post office address is required.

Specification

8.   The abstract of the disclosure is objected to because it exceeds 150 words in

length. Correction is required. See MPEP § 608.01(b). Applicant is reminded of the

proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single

paragraph on a separate sheet within the range of 50 to 150 words. It is important that

the abstract not exceed 150 words in length since the space provided for the abstract

on the computer tape used by the printer is limited. The form and legal phraseology

often used in patent claims, such as "means" and "said," should be avoided. The

abstract should describe the disclosure sufficiently to assist readers in deciding whether

there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information

given in the title. It should avoid using phrases which can be implied, such as, "The

disclosure concerns," "The disclosure defined by this invention," "The disclosure

describes," etc.

Claim Rejections - 35 USC § 103

9.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

10.   **Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Walker, and further in view of Corder.

    Regarding claim 1, Walker teaches an identity verification secure transaction

system comprising: a host computer for storing a user code associated with a user, for

supplying a pseudo-random security string for a transaction, wherein said host

computer determines a one time transaction code by applying said user code to said

pseudo-random security string (column 11, lines 20-62); and at least one electronic

device in electronic communication with said host computer for administering said

transaction by displaying said pseudo-random security string and for receiving a user

transaction input code, wherein said user transaction input code is determined by

applying said user code to said pseudo-random security string displayed on said at least

one electronic device and said user transaction input code is sent to said host computer

(column 11, lines 20-62); wherein said host computer verifies that said user input code

matches said one time transaction code (column 6, lines 1-62). Walker does not

expressly disclose the electronic device receiving the code. However, Corder teaches a

host sending and a device receiving information (column 4, lines 9-67). Therefore, it

would have been obvious to one having ordinary skill in the art at the time the invention

was made to request/receive information at an electronic device from a host computer.

One of ordinary skill in the art would have been motivated to do so to provide fund

transfers (Corder, column 4, lines 26-53).

    Regarding claim 15, Walker teaches a method of verifying an identity for

conducting secure transactions comprising the steps of: storing information about a user

pin associated with a host computer; generating a pseudo-random security string by said host computer; determining a transaction code by applying said user pin to said pseudo-random security string (column 11, lines 20-62); displaying said pseudo-random security string on said at least one electronic device for use by said user to determine a user transaction input code by applying said user code to said pseudo-random security string (column 11, lines 20-62); inputting said user transaction input code on said at least one electronic device (column 11, lines 20-62); transmitting said user transaction input code from said at least one electronic device to said host computer (column 11, lines 20-62); and determining, by said host computer, whether said transaction code and said user transaction input code match (column 6, lines 1-62). Walker does not expressly disclose transmitting said pseudo-random security string to at least one electronic device. However, Corder teaches a host sending and a device receiving information (column 4, lines 9-67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to transmit the generated string to at least one electronic device. One of ordinary skill in the art would have been motivated to do so to provide fund transfers (Corder, column 4, lines 26-53).

Regarding claim 2, the combination of Walker and Corder teaches wherein said at least one electronic device is an Electronic Funds Transfer Point of Sale (EFT/POS) device (Walker, fig 3B, credit card processor, Corder, column 1, lines 33-67).

Regarding claim 3, the combination of Walker and Corder teaches wherein said at least one electronic device is comprised of an electronic Funds Transfer Point of Sale (EFT/POS) device for administering said transaction and receiving said user transaction

input code and a wireless device associated with said user (Walker, fig 3B, credit card processor, column 11, lines 20-62) for receiving (column 4, lines 9-67) and displaying said pseudo-random security string (Walker, column 11, lines 20-62).

Regarding claim 4, the combination of Walker and Corder teaches where said one time transaction code is received and displayed by said wireless device instead of said pseudo-random security string (Walker, column 11, lines 20-62).

Regarding claim 5, the combination of Walker and Corder teaches wherein said at least one electronic device is a wireless device associated with said user (Corder, column 4, lines 26-53).

Regarding claim 6, the combination of Walker and Corder does not expressly teach wherein said one time transaction code is sent to said wireless device instead of said pseudo-random security string. However, Walker teaches generating a "one-time use card number" (column 11, lines 20-62) and generating the code. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to transmit anything other than the card number as long as it served as a unique identifier for a transaction (Corder, columns 4-5).

Regarding claim 7, the combination of Walker and Corder teaches wherein said at least one electronic device is comprised of: a user computer, in electronic communication with said host computer, for receiving (Corder, column 4, lines 9-67) and displaying said pseudo-random security string and receiving said user transaction input code (Walker, column 11, lines 20-62); and a merchant computer, in electronic communication with said user computer and said host computer, for administering said

transaction, wherein one of said at least one electronic device relays said user transaction input code to said host computer for user identity verification (Walker, columns 10-11).

Regarding claim 8, the combination of Walker and Corder teaches wherein said user computer and said merchant computer communicate via the Internet (Corder, column 4, lines 9-67).

Regarding claim 9, the combination of Walker and Corder teaches wherein said one time transaction code is received and displayed by said user computer instead of said pseudo-random security string (Walker, column 11, lines 20-62).

Regarding claim 10, the combination of Walker and Corder teaches wherein said at least one electronic device is comprised of: a wireless device associated with said user for receiving and displaying said pseudo-random security string (Walker, column 11, lines 20-62), a user computer, in electronic communication with said host computer, for receiving said user transaction input code (Corder, column 4, lines 9-67); and a merchant computer, in electronic communication with said user computer and said host computer, for administering said transaction, wherein one of said at least one electronic device relays said user transaction input code to said host computer for user identity verification (Walker, columns 10-11).

Regarding claim 11, the combination of Walker and Corder teaches wherein said one time transaction code is received and displayed by said wireless device instead of said pseudo-random security string (Walker, column 11, lines 20-62).

Regarding claim 12, the combination of Walker and Corder teaches wherein said host computer upon verification allows completion of said transaction (Walker, column 11, lines 45-67, column 12, lines 1-39).

Regarding claim 13, the combination of Walker and Corder teaches wherein said host computer upon verification allows access to a database (Walker, column 11, lines 45-67, column 12, lines 1-39).

Regarding claim 14, the combination of Walker and Corder teaches wherein said host computer upon verification allows access to account information (Walker, column 11, lines 45-67, column 12, lines 1-39).

Regarding claim 16, the combination of Walker and Corder teaches completing a transaction when said transaction code and said user transaction input code match (Walker, column 11, lines 45-67, column 12, lines 1-39).

Regarding claim 17, the combination of Walker and Corder teaches providing access to a database when said transaction code and said user transaction input code match (Walker, column 11, lines 45-67, column 12, lines 1-39).

Regarding claim 18, the combination of Walker and Corder teaches providing access to account information when said transaction code and said user transaction input code match (Walker, column 11, lines 45-67, column 12, lines 1-39).

Regarding claim 19, the combination of Walker and Corder teaches transmitting (Corder, column 4, lines 9-67) and displaying said pseudo-random security string on an Electronic Funds Transfer Point of Sale (EFT/POS) device (Walker, fig 3B, credit card processor, column 11, lines 20-62).

Regarding claims 20 and 21, the combination of Walker and Corder teaches transmitting (Corder, column 4, lines 9-67) and displaying said pseudo-random security string on a wireless device associated with said user / user computer wherein said user computer is in electronic communication with said host computer (Walker, column 11, lines 20-62).

Regarding claim 22, the combination of Walker and Corder teaches communicating between the said host computer and said user computer via the Internet (Corder, column 4, lines 9-67).

Regarding claim 23, the combination of Walker and Corder teaches transmitting (Corder, column 4, lines 9-67) and display said transaction code to said at least one electronic device (Corder, column 4, lines 9-67).

11.   **Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker and Corder, and further in view of Wilder.**

Regarding claim 32, the combination of Walker and Corder does not expressly disclose wherein said user interaction input code is entered through any area of a touch sensitive display. However, Wilder teaches using a touch sensitive display to enter a code (column 2, lines 41-68, column 3, lines 1-50). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a touch sensitive screen with the system of Walker and Corder. One of ordinary skill in the art would have been motivated to do so because using a touch sensitive screen to provide a friendly interface to customers (Wilder, column 2, lines 1-40).

Conclusion

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571) 272-5861. The examiner can normally be reached on Monday-Friday 7:00 am - 5:00 pm, off on Wednesday.

13.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

14.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DGC

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